

CITY OF ROCHESTER, NEW YORK
Environmental Assessment for the Conversion of a Portion of Genesee Valley
Park under the Land and Water Conservation Fund Act as a Result of the
Brooks Landing Revitalization Project

Executive Summary

INTRODUCTION

Proposed Action. After working and planning over many years, the Brooks Landing Revitalization Project has emerged as the means to revitalizing Sector 4 in the southwest quadrant of the City of Rochester. Key to this project is the development of a hotel and restaurant adjacent to a public waterfront and promenade along the west bank of the Genesee River at the intersection of Brooks and South Plymouth Avenues, across the river from the University of Rochester (see Figures ES-1 through ES-3).

Because of the location needs of the project and constraints at the site, it is necessary for the project to utilize 1.38 acres of the 802 acre Genesee Valley Park that received funding from the Federal Land and Water Conservation Fund (LWCF) in 1978. The conversion of this parcel to other than public outdoor recreation requires the approval of the National Park Service (NPS) pursuant to Section 6(f)(3) of the LWCF Act and 36 CFR Part 59. To be approved, the conversion parcel must be replaced with a substitute parcel which must be of at least equal fair market value, and at least as equivalent in such aspects as recreational value and location. The proposed replacement parcel is 19.5 acres adjacent to Turning Point Park within the City along the Genesee River to the north of downtown Rochester (see Figures ES-1 and ES-4). This Environmental Assessment (EA) has been prepared to assess the effect of the NPS approval decision on the quality of the human environment in accordance with the provisions of Section 102 (2) (c) of the National Environmental Policy Act of 1969, P.L. 91190 (NEPA).

Conversion Parcel

At the Brooks Landing site, the project area required for the private hotel and restaurant development is approximately 2.77 acres, which includes the conversion parcel. The proposed conversion parcel (Figures ES-3 and ES-5), also known as a “6(f)” parcel, is 1.38 acres of dedicated parkland comprised of approximately 0.68 acres of lawn area and 0.7 acres of paved roadway (South Plymouth Avenue) and sidewalks. The current use of the proposed conversion parcel at Brooks Landing is transportation, public-right-of-way, buffer and parkland/green space. The portion of South Plymouth Avenue involved is classified as a park road, but functions as a principal arterial. The remaining 1.39 acres is City-owned vacant land (the former Genesee Valley Canal and railroad right-of-way) adjacent to the parkland. The development will include a 60±-foot high hotel with four stories and 61,200± SF of commercial space. The hotel will not include any residential units. The development will also include a one-story 5,000± SF restaurant. The development will include 167 parking spaces for the hotel and restaurant use. Walks, decks, landscaping and waterfront features are also included in the design plan as part of the public improvement project. The plan requires the termination of a portion of South

Plymouth Avenue at the Brooks Landing site at its intersection with Genesee Street. South of the Brooks Landing site, South Plymouth Avenue will terminate as a teardrop cul-de-sac wide enough to accommodate approximately 10 on-street parking spaces available for public use within the park. Along the river side of the conversion parcel is an area of 0.6 acres that will remain as 6(f) parkland within Genesee Valley Park and will be the location of the Brooks Landing Public Waterfront Promenade and Boat Landing, which will be open to the public 24 hours/day, seven days/week. Excursion-type vessels will be able to moor against a wharf that will extend 16 feet riverward, and extend 175 feet along the existing river wall (Figure ES-5).

Replacement Parcel

The proposed 19.5-acre replacement parcel was acquired by the City through foreclosure in 1999 and exists as vacant open space directly north of Turning Point Park (Figures ES-1 and ES-4). It consists of approximately 3.1 acres of steep vegetated slopes and 16.4 acres of wetland and open water along 3000 linear feet of river shoreline at the river's turning basin. The southern boundary of the replacement parcel currently serves as Turning Point Park's northern boundary. It is bounded on the west by an active CSX railroad and on the north by landlocked parkland known as Turning Point Park North, accessible only by boat. There is currently no legal access onto the replacement parcel and consequently it is neither serving nor managed as public parkland.

Purpose and Need. Despite a deep-rooted heritage and rich civic history, the area surrounding the proposed development site has experienced severe economic, social and aesthetic decline. The Brooks Landing Revitalization Project aims to revitalize the Brooks/Genesee neighborhood and reconnect the greater Rochester community with the Erie Canal. Based on more than twenty years of sustained public planning, the Brooks Landing concept includes a new extended-stay hotel and restaurant along the Genesee River with an adjacent new public waterfront, promenade and boat landing (Figure ES-5). It is part of a larger area designated as the Brooks Landing Urban Renewal District (BLURD) which also includes a new building with office and retail space and infill development in adjacent areas.

The Brooks Landing concept reinforces the goals of the City of Rochester's adopted comprehensive plan, entitled "Rochester 2010: The Renaissance Plan," the City's Urban Renewal Plan, and the City of Rochester's Draft Local Waterfront Revitalization Program (LWRP). Additionally, since this section of the Genesee River is part of the Erie Canal system, the Brooks Landing concept advances the state-wide goal, established through the creation of the Erie Canalway National Heritage Corridor in December 2000 (P.L. 106554, Title VIII, Sec. 801), to promote the use and awareness of the Erie Canal. The Brooks Landing Revitalization Project will also strengthen connections between the Genesee Street/Brooks Avenue neighborhood, Genesee Valley Park and the University of Rochester.

Impact topics were addressed for the project through New York State's Environmental Quality Review Act (SEQRA) process. This included completion of the City of Rochester's Environmental Impact Assessment Long Form, which served as the basis for the City's Notice of Environmental Determination. Under SEQRA, the City determined that "the proposed action is one which will not have a significant effect on the environment". Impact topics with substantive

content were included for analysis in this EA. The affected environment under each of the impact topics identified is fully presented in Chapter 3. An analysis of the impacts on these resources from each alternative is evaluated in Chapter 4.

ALTERNATIVES

The EA evaluated four alternatives. Alternative 1 is the No Action alternative. The No Action alternative represents what would take place in the absence of the Brooks Landing project. Basically, the existing conditions within and surrounding the park would remain the same. The existing roadway network, including that portion of South Plymouth Avenue that is classified as a park road, would remain in its current alignment through the park. Other than occasional maintenance, (resurfacing, etc.) no improvements will occur. The adjacent lawn areas/open space would receive periodic mowing. The existing trees would receive occasional maintenance in response to storm damage or decline. The river wall would continue to function as a retaining wall for South Plymouth Avenue and as bank stabilization for the river shore. The commercial areas comprising Sub-Areas II and III and a portion of Sub-Area I (Figure ES-3) would most likely continue its trend to decline. Given the area's 30-year history, there is no economic or social indication that positive significant change from the existing condition will occur. This is also based on repeated attempts at an economic development stimulus over the past twenty years.

Alternative 2, identified as the preferred alternative within the EA, consists of the Brooks Landing project. With respect to the primary purpose of this EA Alternative 2 results in the conversion of 1.38 acres of 6(f) parkland within Genesee Valley Park and replacement with 19.5 acres north of Turning Point Park (see description of proposed action for details on the conversion parcel and replacement land). Alternative 2 has been identified by the City as preferred because it is the alternative that best meets the overall goals of the project and community revitalization.

The EA also identified two other alternatives which, due to project goals and site constraints were not judged feasible and thus were rejected. These include locating the hotel and restaurant along Genesee Street and locating the hotel development on a site downstream from the project area. Besides the planned configuration, three options were explored in the development of the site configuration. A major physical site constraint is the existence of a 54-inch sanitary force main running parallel to the river through the site. Other factors that affected the site configuration options included the maintenance of river views for the neighborhood, close proximity to the existing pedestrian bridge to the University of Rochester, and safe vehicular access to the site. None of the other options studied were feasible.

AFFECTED ENVIRONMENT, IMPACTS AND MITIGATION

The impacts and mitigation described in this EA were based in part on the review conducted by the City of Rochester under the New York State Environmental Quality Review process. Direct, indirect and cumulative impacts were evaluated for both the No Action Alternative and the

Brooks Landing Revitalization Project Alternative (Preferred Alternative). The following is a summary of the impacts and mitigation associated with Alternative 2, the preferred alternative.

Land - No major excavation will occur for the hotel and restaurant development. The hotel's design and siting is derived from the existing topography. The hotel will be four stories from the parking lot side with an outdoor patio overlooking the river (taking advantage of the higher elevation of the former canal/railroad right-of-way). The parking for the restaurant and hotel will be located between the structures and the higher embankment to the west, effectively screening it from view. The public promenade and new public boat dock will be located adjacent to the Genesee River. It is anticipated that retaining walls will be incorporated into the final design to compensate for the existing steep slope area along the western boundary. The impacts to land resulting from the conversion are expected to be moderate to minimal.

Water - Small areas associated with the catch basins of South Plymouth Avenue within the 1.38-acre conversion parcel are below the 100 year floodplain elevation. The remaining elements of the proposed project (the public promenade, hotel, restaurant, associated parking, and development within Sub-Areas II and III) will have no impact on wetland areas, and are all well above the 517.6 100 year flood elevation and therefore are not within the floodplain or floodway. The impacts to water resulting from the conversion are expected to be minimal.

Air - Air emissions from within the Brooks Landing project area will likely increase temporarily during construction due to an increase in particulates from diesel exhaust emissions and construction vehicles. The movement of construction vehicles will also generate dust. All new building construction at Brooks Landing, including the proposed hotel and restaurant will employ high efficiency heating/cooling systems and state of the art emission control measures for all exhaust systems. The additional watercraft utilizing the new facilities is not expected to produce a measurable impact to air quality within the project area. Adverse impacts to air resulting from the conversion are expected to be minimal.

Plants and Animals – A total of approximately 26 mature trees will be removed from the 1.38-acre conversion parcel and a total of 62 trees along with understory and shrub areas for the entire project. Mitigation includes a landscaping plan with additional plantings of trees and shrubs around the proposed parking areas, in islands within the parking areas, and around the public waterfront promenade. Landscape plantings will be arranged to create a naturalized buffer from the proposed development and compliment the landscape character of the park. This additional vegetation will provide biomass and habitat for small birds and mammals. The impacts to plants and animals resulting from the conversion are expected to be minimal.

Aesthetic Resources - The project will have the most visual impact within the section of river corridor between the pedestrian bridge and the Elmwood Avenue Bridge. The curvature of the river, the adjacent built environment, the rising topography to the west, and the vegetated river shores all help to limit the hotel's visibility from outlying adjacent areas. Landscaping, appropriate building materials and color selection will also mitigate the building's presence. The proposed hotel will be visible to varying degrees from the rear yards of approximately 10 adjacent residences on the west that front Genesee Street, and will impact their views of the river. Existing vegetation to remain, as well as parking lot landscaping, will help to screen the

building from full view. The proposed hotel and restaurant siting take advantage of the existing topography and are located near the low end of the site within the conversion parcel, minimizing the perceived height of the 4-story hotel. The impacts to aesthetic resources resulting from the conversion are expected to be moderate to major.

Historic and Archaeological Resources - The NYS Office of Parks, Recreation and Historic Preservation, functioning as the State Historic Preservation Officer (SHPO) under the National Historic Preservation Act has determined that the Brooks Landing site is eligible for inclusion on the National Register of Historic Places and has advised that the project will have an Adverse Effect as defined in Advisory Council on Historic Preservation regulations 36 CFR 800.5. A discussion of other alternatives concluded that there are no other reasonable alternatives that fulfill the purpose and need for the project. Therefore a Memorandum of Agreement (MOA) was developed between the National Park Service, New York SHPO and the City of Rochester. The MOA outlines stipulations to be implemented in order to mitigate the adverse effect of the parkland conversion. These stipulations include:

Park System-Wide Preservation Measures

1. The City will put the following additional parkland under Section 6(f) protection:
 - a 23.8-acre parcel of Genesee Valley Park on the east side of the Genesee River just south of Elmwood Avenue, and
 - the parkland conversion replacement parcel adjacent to Turning Point Park as described in the Environmental Assessment.
2. The parkland conversion replacement parcel adjacent to Turning Point Park will provide a compatible public resource amenity, be accessible to the public, and complement the existing park system design.
3. The City will survey those components of the Rochester City Park System more than 50 years old and revise its existing parks Management Plan to cite not only the System's historic nature and identify its character-defining components but also take into consideration the public benefit of preserving them. Based on the survey, the City will determine the appropriate measures for protecting those components in consultation with the SHPO.

Project-Specific Measures

1. As per the revised site plan included in the Environmental Assessment (EA) submitted to NYSOPRHP on April 28, 2004, the City will:
 - retain existing mature trees and/or install additional plantings at the parcel's southern Plymouth Avenue edge;
 - ensure, through enforcement of the City's Zoning Code, that the developer will provide adequate vegetation within the restaurant parking lot as well as along the perimeter of the restaurant and hotel parking lots, and

- ensure that the developer will provide additional and adequate vegetation on the southern end of the site adjacent to the remaining portion of the Genesee Valley Park as a buffer to the hotel parking spaces shown in that location.

Open Space and Recreation – Adverse impacts to open space and recreation at the Brooks Landing site include the conversion of the 1.38-acre conversion parcel of roadway and passive open space. The proposal will place privately-owned structures in close proximity to the river corridor in a portion now designated as parkland and offering open space and greenspace values. Beneficial impacts to open space and recreation include reducing the volume of traffic going through the park (average daily traffic of 12,438 vehicles per day), enhancing the access and use of the park facilities and Genesee Riverway Trail, and providing new access and new recreational experiences in and on the Genesee River. The proposed amenities also include an enhanced South Plymouth Avenue right-of-way that leads to the Riverway Trail and pedestrian bridge landing, a new public plaza, and boat mooring facilities. The designation of the replacement parcel adjacent to Turning Point Park as 6(f) parkland offers additional land-based as well as water-based recreational pursuits. In addition, the City has committed to no further conversion of 6(f) parkland along the river and adjacent to this project area. The impacts to open space and recreation resulting from the conversion are expected to be minimal.

Transportation – Transportation impacts primarily result from the realignment of the intersection of Brooks Avenue with South Plymouth Avenue and the closing of a segment of South Plymouth Avenue south of Brooks Avenue. A traffic analysis was conducted that models and predicts that the severing of South Plymouth Avenue has the potential to produce a major localized impact due to increased traffic resulting from the closure of a segment of South Plymouth Avenue and the additional hotel and restaurant traffic. The model was used to develop several proposed intersection improvements in the local area. The analysis concluded that with these mitigation measures, the street system surrounding the project area will be enhanced and improve the traffic flow and air quality from its current condition. These improvements will be constructed prior to the severing of South Plymouth Avenue. Adverse impacts to transportation resulting from the conversion are expected to be minimal.

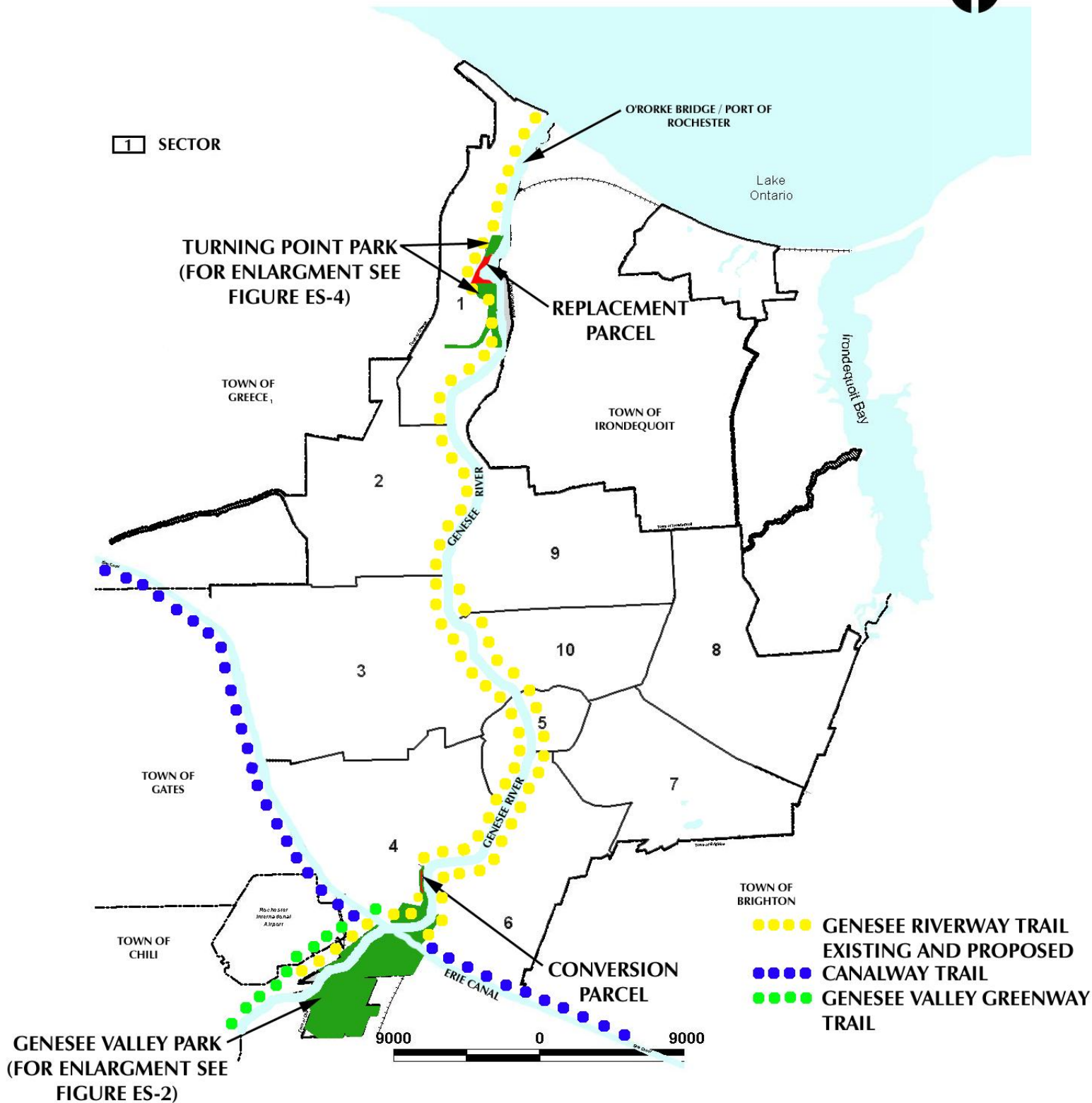
Energy - The proposed development at Brooks Landing is not expected to put extraordinary additional demands on the city's utility infrastructure. The changes in traffic patterns and intersection efficiency would have a direct beneficial relationship to the use of energy by motor vehicles. The use of construction equipment would utilize energy at a greater rate. The most intense impacts would occur during construction and therefore be localized and temporary. The impacts to energy resulting from the conversion are expected to be minimal.

Noise and Odor - The ambient noise levels will experience less than a 3 dBA increase post development due to increased traffic along Genesee Street, and noise levels less than 3 dBA are considered imperceptible to the human ear. There will be an associated decrease in noise levels due to the elimination of traffic on the severed South Plymouth Avenue within the park. Noise resulting from normal construction activities including caisson drilling, earth moving, excavation, etc., will be heard outside of the project area during construction, but will be temporary. No noise is anticipated to be heard outside of the project area after construction. Food odors will be produced by the restaurant operations to some degree. It is expected that the

odors generated will be localized and not objectionable in nature. Adverse impacts to noise and odor resulting from the conversion are expected to be minimal.

Public Health - As part of the Corrective Action Plan (CAP) for the contaminated soil areas, measures have been implemented for health and safety monitoring during construction, preparation of a written Health and Safety Plan (HASP) and the development of management plans for the handling of impacted materials. In following the provisions and procedures of the CAP, there should be no adverse impact to public health from the project.

Growth and Community Character - Although the neighborhood may experience temporary inconvenience by construction, the overall result of the project will be \$18 million of public and private investment in the neighborhood. In addition to new job creation, the proposed development would also serve to create use for several underutilized properties adjacent to the Genesee River, as well as revitalize a portion of the Erie Canal. It was also determined that the conversion of this parkland will not have a disproportionately high and adverse human, health, or environmental effect on minority or low-income populations in accordance with Executive Order 12898, Environmental Justice. Adverse impacts to growth and community character resulting from the conversion are expected to be minimal.



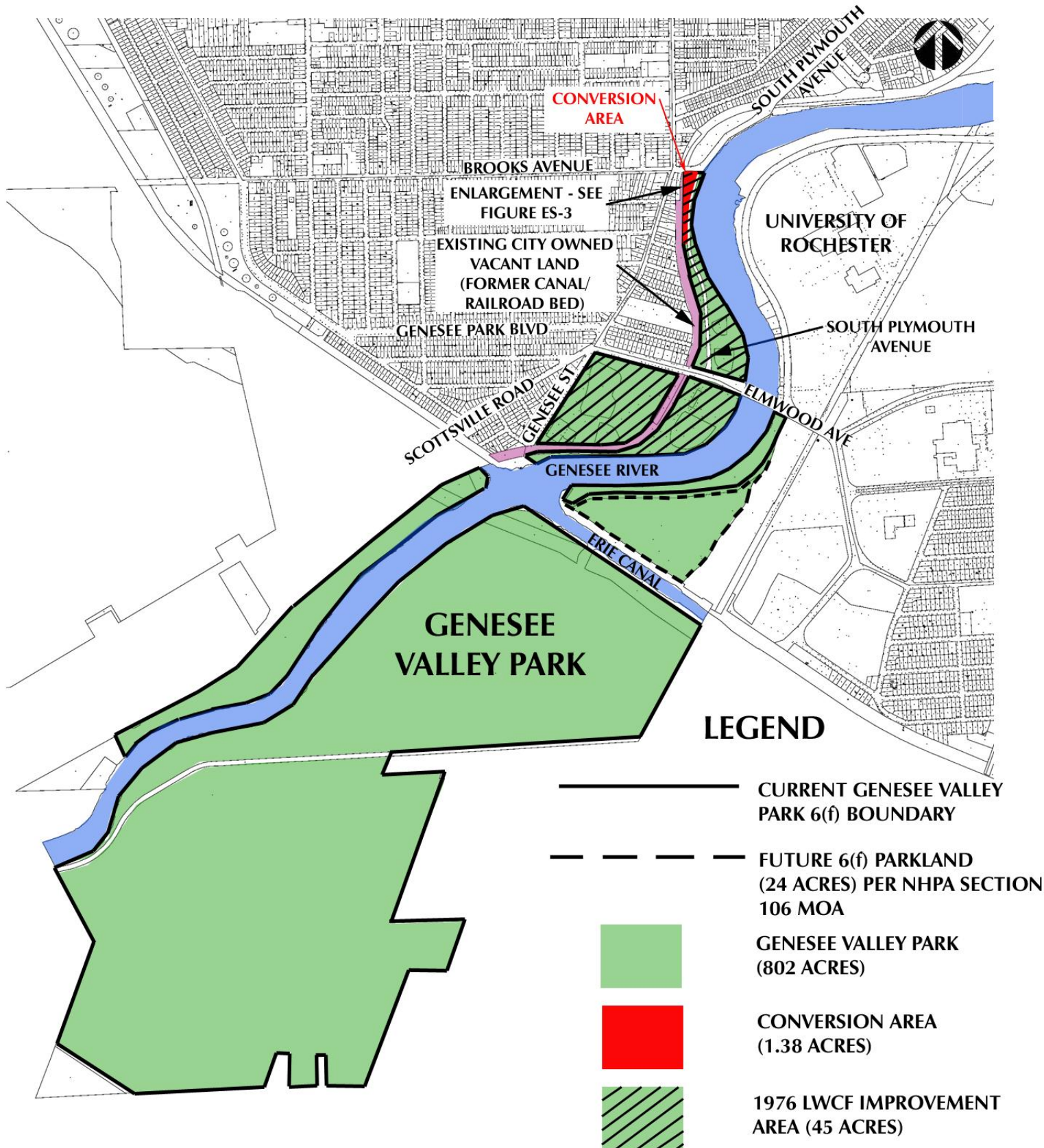
LOCATION MAP



ENVIRONMENTAL ASSESSMENT
6(f) CONVERSION - GENESEE VALLEY PARK



Figure ES-1



GENESEE VALLEY PARK CONVERSION PARCEL

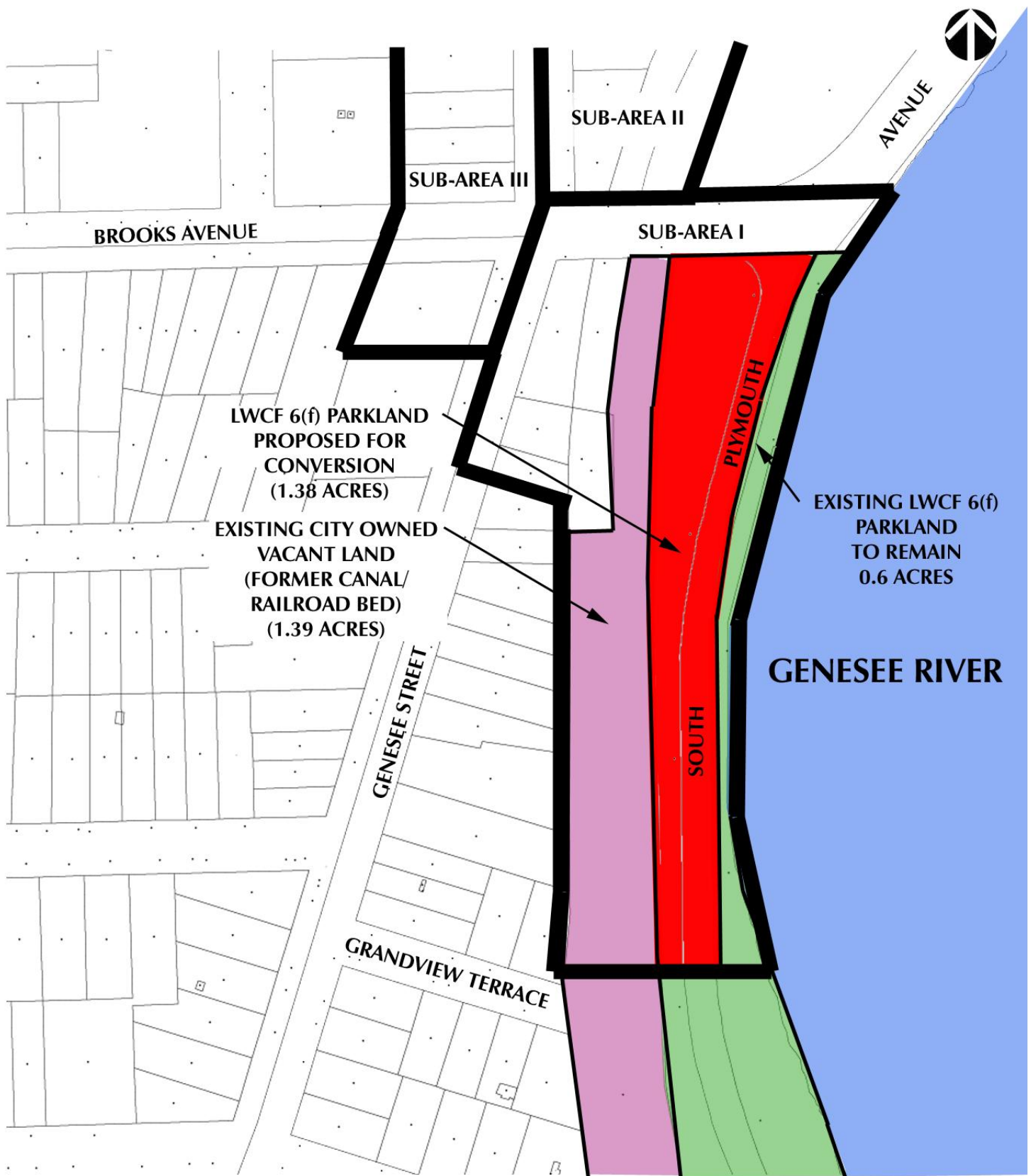


ENVIRONMENTAL ASSESSMENT
6(f) CONVERSION - GENESEE VALLEY PARK

SOURCE: CITY OF ROCHESTER TILE MAPPING



Figure ES-2

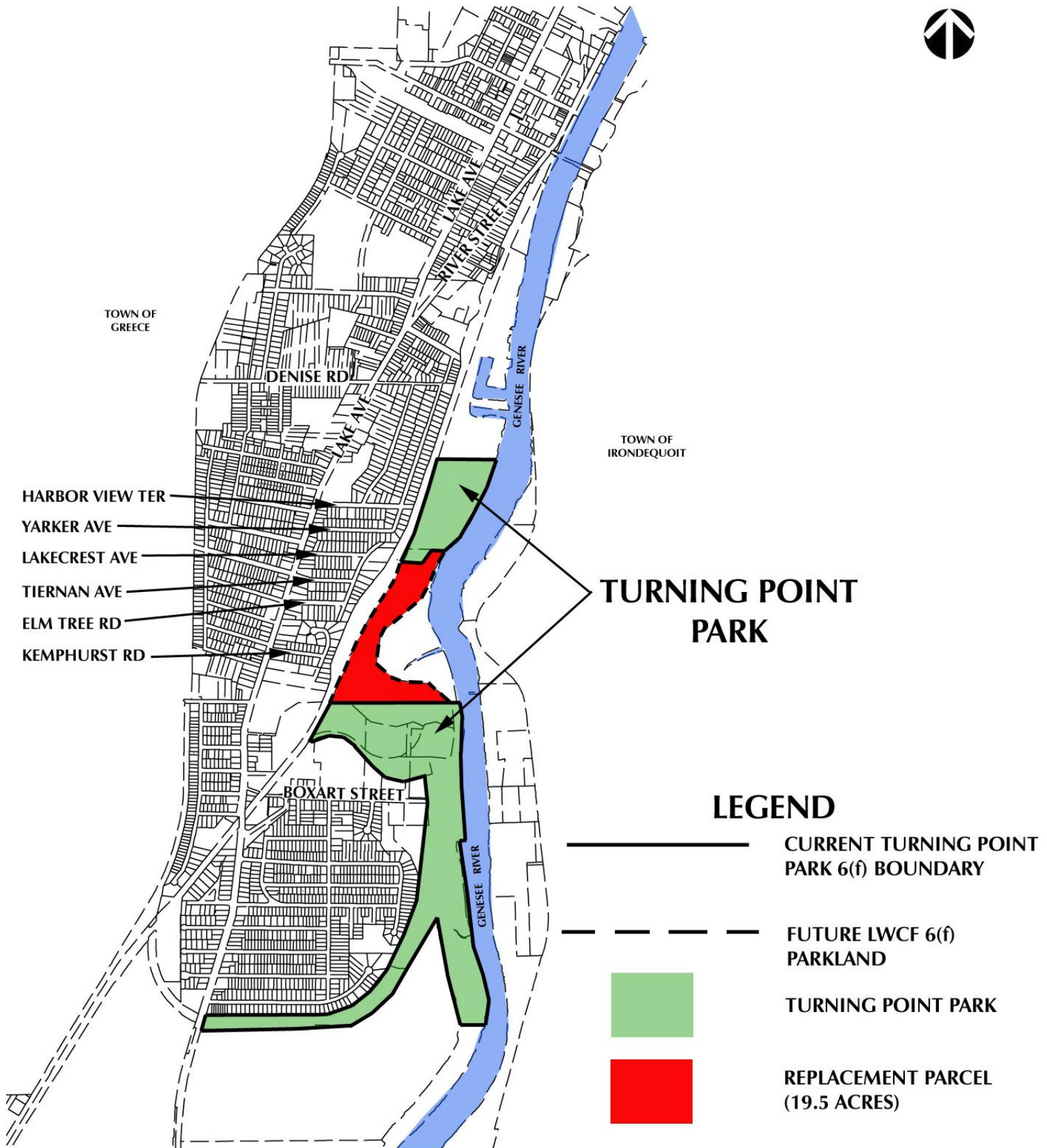


GENESEE VALLEY PARK CONVERSION PARCEL



ENVIRONMENTAL ASSESSMENT
6(f) CONVERSION - GENESEE VALLEY PARK

SOURCE: CITY OF ROCHESTER TILE MAPPING



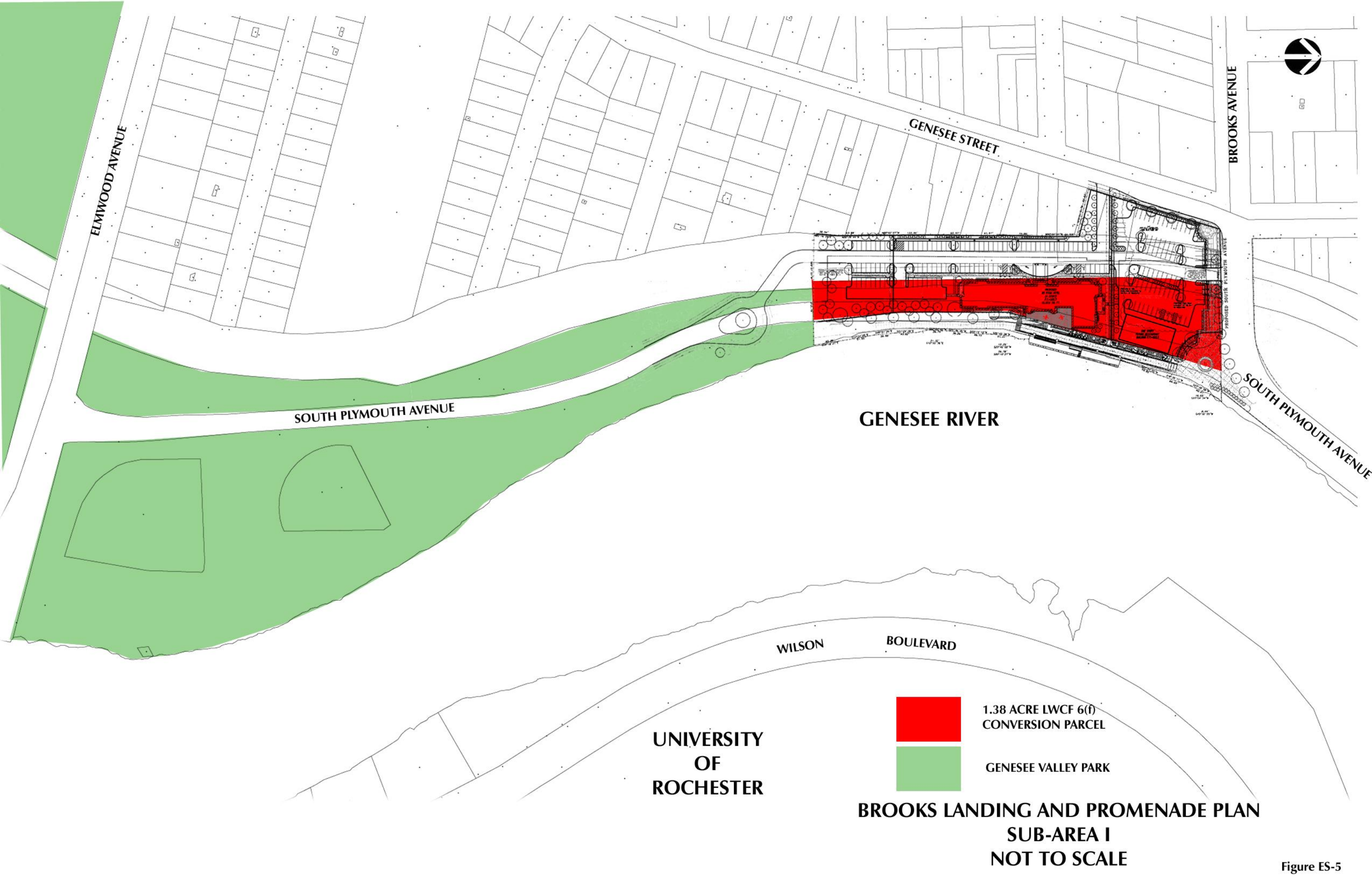
TURNING POINT PARK REPLACEMENT PARCEL



ENVIRONMENTAL ASSESSMENT
6(f) CONVERSION - GENESEE VALLEY PARK
SOURCE: CITY OF ROCHESTER TILE MAPPING



Figure ES-4



ELMWOOD AVENUE

GENESEE STREET

BROOKS AVENUE

SOUTH PLYMOUTH AVENUE

GENESEE RIVER

SOUTH PLYMOUTH AVENUE

WILSON

BOULEVARD

UNIVERSITY
OF
ROCHESTER



1.38 ACRE LWCF 6(f)
CONVERSION PARCEL



GENESEE VALLEY PARK

BROOKS LANDING AND PROMENADE PLAN
SUB-AREA I
NOT TO SCALE